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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/790,774	03/03/2004	Kishiko Maruyama	500.43576X00/W4158-01EN	3222
20457 7590 07/16/2007 ANTONELLI, TERRY, STOUT & KRAUS, LLP 1300 NORTH SEVENTEENTH STREET SUITE 1800 ARLINGTON, VA 22209-3873			EXAMINER TO, TUAN C	
			ART UNIT 3663	PAPER NUMBER
			NOTIFICATION DATE 07/16/2007	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

officeaction@antonelli.com
dprater@antonelli.com
tsampson@antonelli.com

Office Action Summary	Application No. 10/790,774	Applicant(s) MARUYAMA ET AL.	
	Examiner Tuan C. To	Art Unit 3663	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 April 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6, 8-17, 19, 21 and 23-25 is/are pending in the application.
- 4a) Of the above claim(s) 1, 2, 19 and 23 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 3, 4, 9, 11-13, 15-17, 21, 24 and 25 is/are rejected.
- 7) ☒ Claim(s) 5-6, 8, 10, and 14 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 July 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

Applicant's election with traverse of claims 3-6, 8-17, 21, 24, and 25 upon the elected Group B in the reply filed on 04/30/2007 is acknowledged. The traversal is on the ground(s) that the species listed in the restriction requirement are not distinct. The applicant further argued that the examination of the entire application can be made without serious burden.

This is not found persuasive because the following:

MPEP 808 cites the reasons for insisting upon a restriction requirement.

There are two patentability distinct species exist in the current application.

Species A relates to a road map generated by applying both summarizing operation and icon that represents land mark facilities. Species B relates to a road map generated by applying only summarizing operation. Thus, the applicant is required under 35 U.S.C 121 to elect a single disclosed species for prosecution.

The applicant's argument is not persuasive with the traversal, "the examination of the entire application can be made without serious burden". It is important to note that a burden has been existed when more than one invention is claimed and requires numerous class/subclass searches during the prosecution of the case.

The requirement is still deemed proper and is therefore made FINAL.

An action on claims 3-6, 8-17, 21, 24, and 25 follows:

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

Claims 3, 4, 9, 11-13, 15-17, 21, 24, and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shimabara (US 20030023374A1) and in view of Matsuoka et al. (US 20010028350A1).

Regarding claims 3, and 9, Shimabara teaches a car navigation system comprising: a map readout controller (12) for reading out the map data having a

predetermined display range in according to the vehicle position calculated from vehicle position detector (5) (Shimabara, page 3 and 4, paragraphs 0054, 0058), an input unit which described in the patent as a joystick, ten-digit keypad, and a determining key (Shimabara, page 3, paragraph 0053), Shimabara further teaches a land map search unit which is utilized to search in a land mark database land mark facilities to satisfy a user's request (Shimabara, abstract; figures 19 and 20, a user can select a land mark among land mark facilities as desired), Shimabara further teaches a map scale determining section (20) (Shimabara, figure 1) configured to determines a value of a scaling factor (reduced scale) which is set by the user's operation. By applying such the scaling factor, a main road including a running route and an icon represented a land mark facility are displayed (Shimabara, figure 4, the vehicle at position mark G located on a main road including a running route, the vehicle position is next to a land mark facility 110). Shimabara further teaches a display device (6) (Shimabara, figure 1) for displaying the summary road map together with a mark indicative of the vehicle position G (Shimabara, figure 4). In figure 7, a main road including a running route has been shown, and that the roads are simplified by linearizing and orthogonalizing the actual road map data.

Shimabara fails to disclose "a map summarizing unit adapted to generate a summary road map..., with highlighted lines, by applying a summarizing operation".

Matsuoka et al. teaches another navigation system in which the operation of summarizing is carried out in such a way that a detail of map is displayed (figure 11).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system as taught by Shimabara to include the teachings of Matsuoka et al in order to provides a user a geographical map with details information on the map.

As to claim 11, Matsuoka et al. teaches that the vehicle position is displayed by a mark in the summary road map (see figure 19, M1).

As to claims 12, and 13, Shimabara teaches that roads displayed in the summary road map are displayed as made linear, and roads which meet at an intersection are displayed as made orthogonal to each other (see figure 11).

As to claims 15, and 17 Shimabara discloses the road map, as shown in figure 11, graphically displayed in a two-dimensional map.

As to claim 4, and 16, as shown in figure 19 of Matsuoka et al., the window of summary road includes a running route leading from the position M1 to a destination P1.

As to claim 21, Matsuoka et al teaches that the display unit is configured to display the summary road map automatically responsive to a predetermined change in positioning of the vehicle on the at least one of two-dimensional maps and bird's-eye-view maps (see figure 24, step S70, the roadmap is updated based on the detected current vehicle position in step S60).

As to claim 24, Matsuoka et al. further discloses a deforming means for performing linearizing operation (see figure 1, switch 4a are employed to implement a detailed display).

Allowable Subject Matter

Claim 5-6, 8, 10, and 14 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusions

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tuan C To whose telephone number is (571) 272-6985. The examiner can normally be reached on from 8:00AM to 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Keith can be reached on 571-272-6878.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

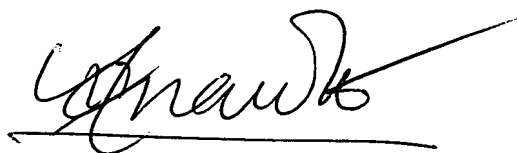
Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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Patent Examiner,

A handwritten signature in black ink, appearing to read 'Tuan C To', is written over a horizontal line.

Tuan C To

June 28, 2007